<u>REMARKS</u>

This amendment responds to the Office Action mailed January 10, 2006. In the office action the Examiner rejected claims 1-22 under 35 U.S.C. 102(a, b) as anticipated by Pitt III et al. (US 5,675,520).

After entry of this amendment, the pending claims are: claims 1-22.

<u>Claims 1-10</u>

Claim 1, as amended, has five key elements:

- "supplying a data structure"

In computer science, a data structure is a way of storing data in a computer so that it can be used efficiently. Often a carefully-chosen data structure will allow a more efficient algorithm to be used. In other words, a data structure is essentially a logical unit that can be implemented within different types of computer hardware, such as hard drive, memory, etc.

The Examiner contends that the memory system 30 of Pitt inherently acts as a data structure. Applicant respectfully disagrees. The term computer memory refers to the parts of a digital computer which retain physical state (data) for some interval of time. Therefore, the memory system always refers to a physical device, not a logical unit.

- "while executing a first computer application program to perform a first task, automatically extracting a first set of variable settings in addition to performing the first task"

In the present application, the variable settings are **automatically** extracted when the first computer program is being executed.

But Pitt (col. 3, lines 63-67 and FIG. 1) is directed to the generic operation of a computer system. CPU performs one and only one task of executing program instructions provided by the operating system. When the operating system provides application program instructions, CPU executes the application program instructions. Pitt does not teach that CPU performs any other task, such as automatically extracting a set of variable settings while executing the application program instructions.

As shown in page 33 and FIG. 4A of the present application, variable settings refer to multiple pairs of (variable, value) associated with an application program. For example, APPEXE 104 is a variable and MSWORKS.EXE is the variable's value in the embodiment

shown in FIG. 4A. Pitt does not teach or suggest anything related to variable settings associated with an application program. Actually, there is no single occurrence of the terms "variable", "setting", "variable setting" or the like.

- "while executing a second computer application program to perform a second task, automatically extracting a second set of variable settings in addition to performing the second task"

Same as above.

- "loading said first set of variable settings and said second set of variable settings into said data structure so as to associate said first set of variable settings with said first computer application program and said second set of variable settings with said second computer application program"

In the present application, the two sets of extracted variable settings are stored in the data structure and associated with their respective computer application program. The variable settings are data associated with an application program. They are not program instructions and they cannot be loaded into memory and prepared for execution.

As noted above, a data structure is different from a memory system. Pitt (col. 5, lines 62-67 and FIG. 2) teaches the method of loading an application program, not variable settings, into the memory system and then executing its program instructions accordingly. As mentioned earlier, there is no teaching in Pitt related to variable settings at all.

- "executing said first and second computer application programs using said first and second sets of variable settings in said data structure to perform said first and second tasks automatically"

Pitt (col. 4, lines 58-63 and FIG. 2) discloses a list of basic operating system functions, including file management, task scheduling, virtual memory operations, program loading and termination, and intertask communication. These functions are usually referred to as "system operation", not "application program." Moreover, none of the system operations involve the use of variable settings since there is no teaching in Pitt related to variable settings.

Therefore, claims 1-10 are not anticipated by the Pitt reference.

Claims 11-22

Claim 11, as amended, and its dependent claims are not anticipated by the Pitt reference for at least the same reasons as those discussed above with respect to claim 1.

Conclusion

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney if a telephone call could help resolve any remaining items.

Respectfully submitted,

Date: _____

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Gary S. Williams   (Reg. No.)
MORGAN, LEWIS & BOCKIUS LLP
2 Palo Alto Square, Suite 700
3000 El Camino Real
Palo Alto, California 94306
(650) 843-4000